

EAST PALESTINE VILLAGE COUNCIL MONDAY JANUARY 26, 2015 7PM 85 N. MARKET ST.

President Pro Tem Alan Cohen called the meeting to order. (Mayor Zuch was on vacation). Present was Atty. Beagle, Mr. Elzer, Mr. Figley, Mr. Tyger and Mrs. Wisser. Also present was Village Manager Pete Monteleone, Law Director David Powers and Clerk Misti Martin. The minutes of the January 12, 2015 regular meeting and the Finance Committee meeting on January 20 were approved on a motion by Mr. Elzer, seconded by Mr. Tyger. There were no agenda items, Clerks, Mayors or Managers reports.

LAW DIRECTOR: Atty. Powers stated he is working on some legislation and few things for upcoming meetings.

STREET: Mr. Figley stated that the Manager had given Council a packet of information on the upcoming paving project so everyone will understand the costs. Mr. Cohen stated we will need a motion to amend the agenda to add the 2015 Paving Ordinance tonight. Mr. Figley made a motion to amend the agenda to add the 2015 Paving Ordinance, seconded by Mr. Tyger. All in favor.

SAFETY/PARK/REC/CEM: NO REPORT

DEVELOPMENT: Mr. Elzer wished Clerk Misti Martin a happy birthday; he also said the street department did a great job on the roads after the snow.

UTILITY: Mrs. Wisser stated she and Manager Monteleone met with MS Consultants on January 14 to discuss the upcoming EPA mandates for the EQ Tank. She said that they found infiltration in the downtown area and asked John Jurjavcic to elaborate on it. Jurjavcic stated that after they looked at all eight flow monitors they found that all of the areas had problems but it was centralized to the downtown area. Mr. Elzer stated the EPA mandate isn't for an EQ Tank, it is to stop the infiltration problem and it is up to the Village as to the method. Monteleone stated that after that meeting MS was going to finalize their recommendations, which he felt would include an EQ tank and further flow monitoring to pinpoint the problem more closely and then do some repairs would could include slip lining with an EQ tank. MS is in the process of setting up an appointment with the EPA to meet and go over everything. Jurjavcic stated MS had originally talked about a 750,000 gallon tank but after the flow monitoring, they felt they may have to enlarge it and that to do the slip lining there would still need to be more monitoring. Jurjavcic stated he had brought a map to the meeting showing all of the repairs that had been made in the past saying the village has already spent around three million dollars in repairs to help reduce the I & I. Mrs. Wisser said she thought it was interesting that they always thought the west side of town was more of the problem but now they feel it is more the central part of town. Mr. Cohen asked what the deadline with the EPA was and Jurjavcic said it was June 30 2016. Mr. Cohen asked when an EQ tank would have to be started so as to meet the deadline. Monteleone said he has asked MS to do a time line and once they have approval from the EPA they would then seek funding. He said we should be under construction by the deadline and they feel we should be ok at that point. Mr. Cohen said it isn't likely they would hold us to the deadline if we are under construction. Monteleone said funding is already lined up as soon as we get a recommendation.

FINANCE: NO REPORT

VISITORS: Mark Walker, Mary Anne Tyger, Dianna Elzer, Kent Chapman, Chief Josh Brown, John Jurjavcic, Tim Vargo, Dave & Michelle Vargo, Terri Ward, Chief Kevin Dickey, John Davis, Mary Beth DiCello, Katie White, Dan Scott, Atty. Tobin & Steve Baird.

At this point Mr. Cohen stated that Mr. Elzer had taken care of the list of boards and commissions reappointments needed and that all members whose terms had expired had agreed to be re appointed.

THERE WERE NO VISITORS COMME NTS ON CURRENT LEGISLATION

LEGISLATION: Atty. Beagle introduced Res. 1-2015 and made a motion that it be read by title only.
A resolution authorizing the hiring of outside counsel for the purpose of representation in the

dispute with David and Michelle Vargo. Mr. Cohen called for a vote on Res. 1-2015. Atty. Beagle-y, Mr. Cohen-y, Mr. Elzer-y, Mr. Figley-y, Mr. Tyger-y, Mrs. Wisser-y. 6 yes to pass. Atty. Beagle introduced Ord. 1-2015 for a first reading and made a motion that it would be read by title only, seconded by Mr. Tyger. **An ordinance providing for the authorization of the Municipal manager to advertise for public bid the construction/paving of : West St. from W. North to W. main st., Howell Ave from Stacy Ave to Village Limits, Lyons Ave to the turn (approx 900 ft), E. Highland Ave. (Entire Rd.), N. James St. from E. Grant St. North to end of road, Carbon Hill Rd. from Bacon Ave. to Village Limits and Marion Ave. from N. Market St. to Howell Ave. Together known as the 2015 Street Resurfacing Project, and to further award and enter into a contract with the lowest and best bidder as relates to the contract, pursuant to the specifications and bidding requirements as determined by the Municipal Manager, and in compliance with law.**

Atty. Beagle made a motion to enter into executive with Atty. David Tobin to discuss pending litigation, seconded by Mr. Tyger. All in favor. There would be no further business conducted after executive session. Approximately 45 minutes later Mr. Tyger made a motion to return to regular session, seconded by Mr. Elzer.

ADJOURN: Mr. Figley made a motion to adjourn the meeting, seconded by Mr. Elzer. All in favor, meeting adjourned.

Misti J. Martin Clerk

Alan Cohen President Pro Tem